

City of Selah  
Council Minutes  
September 24, 2019

Regular Meeting  
Selah Council Chambers  
115 West Naches Avenue  
Selah, WA 98942

- A. Call to Order Mayor Raymond called the meeting to order at 5:30pm.
- B. Roll Call
- Members Present: Kevin Wickenhagen; Jacquie Matson; Jeremy Burke; John Tierney; Roger Bell; Diane Underwood; Russell Carlson
- Members Absent: None
- Staff Present: Donald Wayman, City Administrator; Rob Case, City Attorney; Dale Novobielski, Clerk/Treasurer; Rick Hayes, Police Chief; Gary Hanna, Fire Chief; Joe Henne, Public Works Director; Jeff Peters, Community Development Supervisor; Ty Jones, Public Works Utility Supervisor; Monica Lake, Executive Assistant
- C. Councilmember Absence – Motion to Excuse **None**
- D. Pledge of Allegiance
- Council Member Burke led the Pledge of Allegiance.
- E. Invocation
- Pastor Jason Williams gave the prayer.
- F. Agenda Changes **None**
- G. Public Appearances/Introductions/Presentations
1. Coleman Miller, Department of Ecology – Presentation of the 2018 Wastewater Treatment Plant Outstanding Performance Award

Coleman Miller, Department of Ecology, approached the podium and addressed the Council. He said that his agency has jurisdiction to apply and enforce the rules, laws and regulations of the Clean Water Act, which allows for clean water to be discharged into the waters of the U.S. He went on to say that the clean water in Washington State was partially due to the outstanding work of the Selah wastewater treatment plant staff, who he recognized for their outstanding efforts by reading off their names. He noted that they are supported by Public Works Director Joe Henne and the Public Works Department as well as having the support of the Council and City in providing them the resources to do their jobs. He

remarked that staff has great skill and dedication to their work, presenting the award to Wastewater Treatment Plant Supervisor LaRoche and his team as thanks for their great work.

Council Member Tierney asked how many years in a row they've received the award.

Wastewater Treatment Plant Supervisor LaRoche replied twelve years.

Mayor Raymond commented that she drove by the treatment plant this morning, and saw the guys all working on the lift station with smiles on their faces. She said that they were all a great asset to the city, and that seeing them work with smiling faces was a good start to her day, presenting them with a basket of goodies in recognition of their work.

H. Getting To Know Our Businesses                      **None**

I. Communications

1. Oral

Mayor Raymond opened the meeting.

Dawn Gunner, Selah School District, approached the podium and addressed the Council. She requested that as the City was improving different areas of the streets that they consider flashing lights in school zones so people know there are slower speed limits, saying that it would keep children safe and make drivers less likely to speed. She also asked who to contact for Selah beautification.

Mayor Raymond suggested that she contact Tiffany Hein with the Selah Downtown Association (SDA).

Ms. Gunner thanked her.

Public Works Director Henne requested that she call him to discuss the lights.

Seeing no one else rise to speak, Mayor Raymond closed the meeting.

2. Written    **None**

J. Proclamations/Announcements                      **None**

K. Consent Agenda

**Council Member Burke moved, and Council Member Tierney seconded, to add Resolution N – 3 to the Consent Agenda. By voice vote, approval was unanimous.**

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (\*) were considered as part of the Consent Agenda.

- \* 1. Approval of Minutes: September 10, 2019 Council Meeting
- \* 2. Approval of Claims and Payroll:
  - Payroll Checks Nos. 83034 – 83051 for a total of \$214,023.22
  - Claim Checks Nos. 73669 – 73737 for a total of \$181,824.10
- \* 3. Resolution N – 3: Resolution Declaring a Vehicle Surplus and Providing for Disposition of the Same

**Council Member Bell moved, and Council Member Matson seconded, approval of the amended Consent Agenda as read. By voice vote, approval was unanimous.**

L. Public Hearings **None**

M. General Business

1. New Business **None**

2. Old Business **None**

N. Resolutions

1. Resolution Authorizing the Mayor to Sign An Updated Section 125 Cafeteria Plan

Clerk/Treasurer Novobielski addressed N – 1. He said that this was the annual adoption of the Section 125 Cafeteria plan, as under the IRS code the City is required to adopt it in order to provide a tax exemption for the City and employees on certain insurance benefits paid through the payroll system. He went on to say that they work through Northwest Marketing Resources, who update the annual plan and send it for adoption by Council.

Council Member Tierney inquired if there were any changes to the plan this year versus last year.

Clerk/Treasurer Novobielski replied in the negative.

**Council Member Tierney moved, and Council Member Carlson seconded, to approve the Resolution Authorizing the Mayor to Sign An Updated Section 125 Cafeteria Plan. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Burke – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

Clerk/Treasurer Novobielski noted that they received a letter that they would be receiving a rebate under the Affordable Care Act, which states that if the health care provider pays out less than eighty-three percent in claims and benefits then it gets refunded back to whoever paid for it, which would result in a reduction to current year costs.

2. Resolution Authorizing the Public Works Director to Sign a Water Quality Stormwater Capacity Agreement with the Washington Department of Ecology (DOE) for \$95,000 in Grant Funds for the City's Stormwater Management Plan

Public Works Director Henne addressed N – 2. He said that this resolution was to approve the stormwater grant with DOE that he spoke about at the last meeting, for ninety-five thousand dollars with no match required. He added that he wants to use the funds to update the stormwater manual and cover Code Enforcement Officer Barnett's salary for enforcement of it, noting that there was some leeway as to what the DOE would allow them to use the funds for, and requested approval to authorize him to sign the grant contract.

Council Member Carlson asked if there would be any future requirements if they accept the money.

Public Works Director Henne replied that they just have to comply with the conditions.

Council Member Carlson wondered if those were the same ones they already have to comply with.

Public Works Director Henne answered in the affirmative.

Council Member Bell inquired if they would have to share the grant since they were co-permitting.

Public Works Director Henne responded in the negative, adding that they have a regional stormwater permit with DOE, done jointly with Yakima County and several other municipalities.

**Council Member Wickenhagen moved, and Council Member Bell seconded, to approve the Resolution Authorizing the Public Works Director to Sign a Water Quality Stormwater Capacity Agreement with the Washington Department of Ecology for \$95,000 in Grant Funds for the City's Stormwater Management Plan. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Burke – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

- \* 3. Resolution Declaring a Vehicle Surplus and Providing for Disposition of the Same

O. Ordinances **None**

P. Public Appearances **None**

Q. Reports/Announcements

1. Departments

Police Chief Hayes had no report.

Council Member Carlson inquired about a line item in the vouchers for car washed, asking if that was for police vehicles.

Police Chief Hayes answered in the affirmative.

Clerk/Treasurer Novobielski added that it was budgeted as part of the Police fund.

Council Member Carlson observed that the cars could get really dirty, based on the expenditure.

Police Chief Hayes replied that they spend more than that once winter come.

Council Member Carlson asked about any chance that the car washes could happen in Selah.

Police Chief Hayes responded that they could, but it would cost five dollars more per car wash.

Fire Chief Hanna said that they are finishing up the annual recruitment campaign and getting ready to start the orientation process. He noted that they would be doing their fair booth participation tomorrow, with a focus on recruitment.

Council Member Carlson asked for clarification on the line item labeled rehab food.

Fire Chief Hanna responded that it was to get food out to the firefighters when they go on an extended fire and haven't eaten for hours.

Police Chief Hayes noted that they share the food with his department as well.

Community Development Supervisor Peters offered a map of the retaining wall on Crusher Canyon to any Council Members who hadn't had the opportunity to view it via email, per the conversation at the previous council meeting. He said that Council Member Wickenhagen had provided him with an email from YVCOG about the shoreline master plan update coming up the next two years, adding that he's had some discussions with the County over past few months, but they haven't decided yet whether they would be doing all the work for the smaller jurisdictions who don't have the resources needed to update the shorelines master program themselves. He went on to say that he was looking at a couple different firms at this point who do shorelines master work, and that DOE has a grant for about sixteen thousand that they could apply for to fund that endeavor, which he anticipates requesting to apply for in October.

Council Member Burke thanked him for providing the information.

Public Works Director Henne gave an update on current projects, saying that the Naches sidewalks project is almost complete; the East Goodlander Road project has started on the south side after putting in retaining walls on the north side, which would be followed by curb, gutters, and sidewalks on the west end before moving to the east section; and First Street beautification started yesterday, which has caused some traffic delays. He said that there were traffic counters around town, as they are doing all major intersections, a few on Third Street, and by the packing industry to get handle on where the trucks are coming from and how many there are.

Council Member Carlson inquired as to the plan for the First Street beautification.

Public Works Director Henne responded that the end result would be grass and some trees planted.

City Administrator Wayman added that the grass has thatched up and they want to level that off, along with fixing broken sprinkler heads and putting in more of the same trees that have been put in. He noted that they have been working with local proprietors to avoid blocking business access.

Council Member Carlson wondered if it would be the same as further north along the street.

Public Works Director Henne answered that it was the same contractor and the same project.

Council Member Carlson asked why they were taking years to accomplish.

City Administrator Wayman replied that approximately fifteen hundred dollars was budgeted for it per year until complete, as they didn't think it prudent to get all done at once. He went on to say that they've approached the project as doing it one bite at a time, with the intent to finish it out next year, with monies from the General Fund.

Clerk/Treasurer Novobielski provided Council with a sales tax report for September, saying that they are approximately one hundred seven dollars above the same time last year, with roughly ten thousand more this September versus last year, which should result in about forty thousand over budget for the General Fund. He noted that they started department budget meetings the day before and would finish them Wednesday and Thursday, with the Council budget meetings slated for the first week of November.

Council Member Carlson asked if there was a reason they had a late fee on cards used.

Clerk/Treasurer Novobielski replied that if they don't submit the payment on time the company imposes penalties, and that the City has paid an approximately fifty-one dollar penalty on one as the department didn't get the paperwork submitted on time. He noted that there would be no late fees this month.

Council Member Carlson remarked that, although it was such a small amount, he didn't think they should ever have any late fees for cards for any departments.

Clerk/Treasurer Novobielski observed that in twenty-two years this was only the second time he recalls a late penalty, and it was the same department.

City Administrator Wayman commented that they were dealing with it.

Clerk/Treasurer Novobielski added that it was a learning experience.

Council Member Carlson pointed out the significant charge for an L&I fine.

Clerk/Treasurer Novobielski responded that he knew very little about that.

Police Chief Hayes explained that Animal Control Officer Knox went onto the roof of the police station to deal with a sagging string of lights, and L&I happened to be in Selah and took pictures. He said that they have a policy in place now that no one in the department gets on the roof, and would be installing an anchor for a trained person to tie off on when they need to be on the roof.

Council Member Tierney inquired if legal counsel could appeal for a reduced amount due to it being a first time incident.

City Administrator Wayman responded that it was appealable and they could discuss it, but it was unlikely that it would make a difference.

City Attorney Case commented that L&I hired two new inspectors for roof inspections a couple years ago who have been aggressive in assessing fines for violations.

Council Member Tierney wondered if it would still apply if the person subjected to the penalty had no knowledge that it was a violation.

City Attorney Case answered in the affirmative, explaining that they've even been assessing fines based on height distance, and this has been a big revenue generator for L&I the last three years. He added that it was something all departments needed to be aware of, that they need a licensed contractor and a tie off for flat roofs.

Police Chief Hayes noted that it was explained to him that it wasn't seen as a first-time offense as they look at the City as a whole, not individual departments.

City Attorney Case said that the transition from Mr. Noe to himself was still ongoing, and that he hoped to meet with him later that week to sign some things with regard to the Owens litigation as he still shows as attorney of record for the case and there are deadlines coming up. He noted that, as far as the appeal itself, there was only procedural action happening.

## 2. Council Members

Council Member Wickenhagen had no report.

Council Member Matson said that she attended the base race and found it a lot of fun and very well attended. She remarked that she attended the YVCOG meeting last week, and there may be a funds opportunity, which she has discussed with the Public Works Director. She noted that the next Volunteer Park meeting would be next Thursday morning

Council Member Burke said that he went to Union Gap last Thursday with Council Member Carlson, spending two to three hours with their city administrators and police chief, who walked them through the process of building their city hall and police station. He found it very informative and helpful, with an interesting approach, adding that he was surprised by the size of the building in comparison. He felt that their cost of three hundred fifty dollars per square foot were numbers they could use, noting that the Union Gap officials provided plans and everything else regarding the construction of their facility, giving them a good reference point and a wealth of information.

Council Member Tierney said that there was an LTAC meeting held the day before, during which they discussed Yakima Valley Tourism's request for funding, spending about forty minutes with Stephanie Gangle from Yakima Valley Tourism. He remarked that the board agreed that they needed to rejoin



membership, and in total came up with about forty-eight hundred dollars for items they felt needed to be covered, including three thousand for the Sports Commission and the cost of a second page in the Yakima Valley Travel Guide to contain a map of Selah. He went on to say that the four thousand that Yakima Valley Tourism had requested for webpage and social media they set aside for the moment, with direction to Recreation Manager Morales to meet with the Selah Chamber of Commerce and the Selah Downtown Association to discuss their participation in that aspect, as the board didn't feel that the City should bear the entire financial burden. He finished by saying that it would be brought to Council for approval, hopefully at the next meeting, and reminded them that they need to get someone appointed to represent the City if they rejoin the membership.

City Administrator Wayman asked if they said what type of person was needed.

Council Member Tierney replied that it couldn't be a member of council or an elected official of the City, but beyond that could be a person of their choice from a local business or City staff. He noted that so many things are about bringing heads to beds, and that it would be nice to have a voice to neutralize a little of the moving it all south of Selah.

Council Member Bell gave a brief update on the pool, saying that it appears they would end with revenues of approximately sixty thousand for the season, which he felt was a real win. He noted that they had multiple high school swim teams rent the facility during the month of September, which increased revenue. He said that the informational subcontractor and equipment supplier for the pool recommended that they not drain the pool to increase the life of the pool, and would provide them with a process that will help them manage it through the winter.

Council Member Underwood said that they've started a new committee to raise funds for the pool to raise funds and get suggestions to raise funds to get through next year's swim season.

Council Member Carlson thanked Community Development Supervisor Peters for following up on the retaining wall issue. He remarked that the people at the Union Gap city hall were fantastic, they provided architect drawings and everything, acknowledged where things did and didn't make sense, and highly encouraged his fellow Council Members to make time to go see it.

### 3. City Administrator

City Administrator Wayman said that no one from Council contacted him after Mike Carlon's presentation at the last meeting, and wondered if there was any desire in renaming.

Council Member Tierney responded with absolutely not.

City Administrator Wayman commented that he had received further communications from Mr. Carlon and asked if Council had any direction for him on the matter.

Council Member Burke stated that any interest on his part would not be removing anyone's name, only for adding the Carlon name after Archer on the stadium.

Mayor Raymond opined that it was simply different generations.



Council Member Burke responded that was why he wouldn't want to remove anyone, they wanted that name on the field they all played on, and while he felt that there was no reason to remove the name already there but instead only to add a hyphen.

City Administrator Wayman said that a proposal was made but he was hesitant to bring it forward unless Council indicated that they would be interested in a change.

Council Member Carlson remarked that his opinion was that the initial proposal was made by staff and recommended by staff, and that if staff feels it appropriate to change it he would take that into consideration.

Council Member Wickenhagen had no interest in making a change to the names.

Council Member Matson had no interest.

Council Member Burke indicated that he had interest only as previously stated.

Council Member Tierney had no interest.

Council Member Bell had no interest.

Council Member Underwood stated that she felt for the family.

Council Member Carlson had no interest.

Mayor Raymond stated that the matter would not be brought back to Council.

City Administrator Wayman commended City staff for their hard work, saying that he anticipates another very successful budgeting season, and they should meet all the goals for next year with the funds available.

4. Boards **None**

5. Mayor

Mayor Raymond reminded Council about the AWC e-classes, adding that Jurassic Parliament also just put out another email series. She said that Halloween was coming up, and they needed to start thinking who would be available to hand out candy at City Hall, which Council Member Bell had done for the last three years.

**Council took a five minute recess.**

P. Executive Session

1. 15 Minute Session – Real Estate RCW 42.30.110 (1)(c)

Council went into Executive Session at 6:22m. At 6:37pm, Council went back on the record. Mayor Raymond stated that they would be extending the Executive Session for an additional 5 minutes.

Council went back into Executive Session at 6:38pm. At 6:44pm, Council went back on the record. Mayor Raymond stated that no action was taken during the Executive Session.

City Administrator Wayman said that City Staff recommends selling a piece of the property that is currently part of the Well 7 pump house to River Canyon Espresso LLC, to allow for a safer approach to their business than they currently have, for the amount of fourteen thousand nine hundred and eighty-seven dollars and thirty-six cents, which includes both the land value and administrative costs. He added that it would be done sequentially after the East Goodlander project was completed, and asked for a motion to approve the sale.

**Council Member Tierney moved and Council Member Carlson seconded, approval of the sale of a small piece of real property to River Canyon Espresso, LLC for the amount of \$14,987.36. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Burke – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

**Council Member Bell moved, and Council Member Underwood seconded, that the meeting be adjourned.**

**Council Member Carlson moved, and Council Member Burke seconded, to allow for additional public comment with two minutes allotted for each person wishing to speak. By voice vote, approval was unanimous.**

Cindy Kirwan, 806 Riverview Avenue, approached the podium and addressed the Council. She said that she was there to find out what was going on with the development at the bottom of Hillcrest, how that would affect the bottom of Tenth, and when she could come back to hear anything about what was going on with that.

City Administrator Wayman remarked that there are two projects on Crusher Canyon road, one of them Hayden Homes, which was underway with a lot of dirt work going on, the infrastructure going in this year and houses built starting next spring.

Ms. Kirwan wondered if the Graf project would be housing or high rises.

City Administrator Wayman replied that he can't speak for Mr. Graf, and they haven't shared development plans with the City, but the property in question was zoned high density with a SEPA done in 2001.

Community Development Supervisor Peters noted that there had been a development proposal in 1998.

City Administrator Wayman commented that there would be a new SEPA review, with notification to everyone within six hundred feet, as building codes have changed and the owner had said they would need a new SEPA.

Community Development Supervisor Peters stated that there would be a public comment period for them to be submitted to the City, although without a development proposal he didn't know if it would be heard in front of the Planning Commission.

City Administrator Wayman remarked that he has seen the prelim drawings, and it would be beautiful and not near what could be built there.

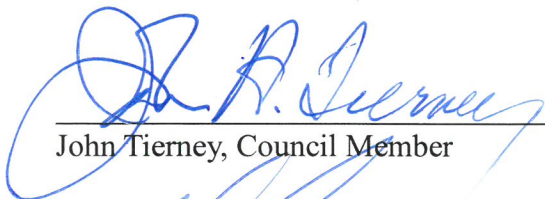
Ms. Kirwan responded that her main concern was traffic flow, adding that it took her two lights to get through the light by Pingrey due to new traffic.

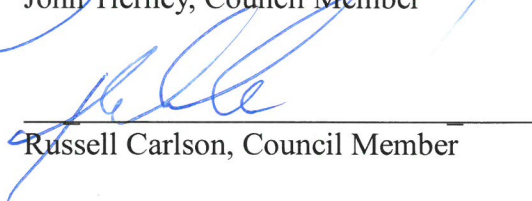
City Administrator Wayman commented that what he saw was much closer to moderate density and would be very nice homes.

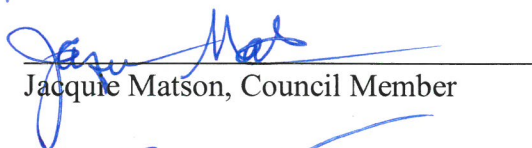
Q. Adjournment

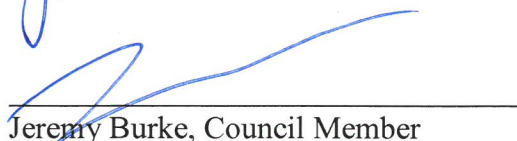
**Council Member Bell moved, and Council Member Underwood seconded, that the meeting be adjourned. By voice vote, approval was unanimous.**

The meeting adjourned at 6:51pm.

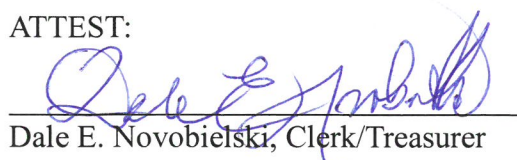
  
John Tierney, Council Member

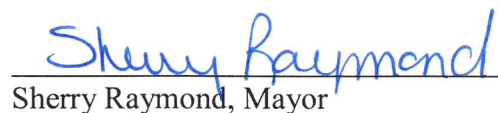
  
Russell Carlson, Council Member

  
Jacquie Matson, Council Member

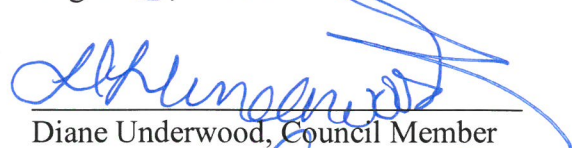
  
Jeremy Burke, Council Member

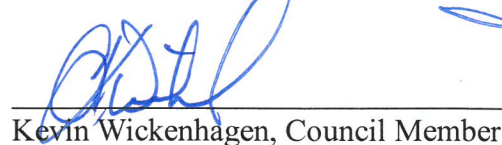
ATTEST:

  
Dale E. Novobielski, Clerk/Treasurer

  
Sherry Raymond, Mayor

  
Roger Bell, Council Member

  
Diane Underwood, Council Member

  
Kevin Wickenhagen, Council Member